

227 SOUTH MAIN STREET • CLARA CITY, MN 56222

December 1, 2016

Ms. Marlene Dortch, Secretary Federal Communications Commission 445 12<sup>th</sup> Street, SW Washington, DC 20554

## Electronic Filing

Re: Docket Nos. 02-33; Notification of Permissive De-tariffing of Wireline Broadband Internet Access Transmission Service by Sacred Heart Telephone Company (Study Area 361476)

Pursuant to the Commission's Wireline Broadband Order, Sacred Heart Telephone Company hereby provides notice of its intent to discontinue offering wireline broadband Internet access transmission service on a tariffed basis. Effective January 1, 2017, Sacred Heart Telephone Company plans to offer wireline broadband Internet access transmission service on a permissive de-tariffed, common-carriage basis.

Any questions regarding this filing may be directed to Pamela Hintz at (651) 621-8535 or via email at phintz@otcpas.com

Sincerely,

Bruce Hanson

Treasurer

**Attachments** 

cc: Olsen Thielen & Co. Ltd.



Ms. Marlene Dortch, Secretary Federal Communications Commission December 1, 2016

## Notice of Permissive De-tariffing of Wireline Broadband Internet Access Transmission Service Effective January 1, 2017

Sacred Heart Telephone Company (Study Area 361476) 1104 19<sup>th</sup> Avenue SW, Suite B Willmar, MN 56201

CC Docket No. 02-33

Sacred Heart Telephone Company (the "Company") hereby provides notice that it intends to cease offering wireline broadband Internet access transmission service on a tariffed basis. Effective January 1, 2017, the Company will begin offering wireline broadband Internet access transmission service on a Title II, common-carriage, permissive de-tariffed basis pursuant to paragraphs 90 and 94 of the Commission's Wireline Broadband Order. The geographic areas affected by this notice are Sacred Heart Telephone Company's exchanges where wireline broadband access transmission services are technically feasible.

Today, this service is provided to Sacred Heart Telephone Company's ISP division. The ISP purchases wireline broadband access transmission service for use as a wholesale input to its broadband Internet access services, which are sold by the ISP to residential and business customers. End user services will not be affected by the discontinuance of the tariffed offering by the Company. As stated in the attached customer notice, Sacred Heart Telephone Company will continue to offer existing ISP customers wireline broadband Internet access transmission service pursuant to current terms and conditions until the end of their current term or upon replacement with a Broadband commercial agreement. Sacred Heart Telephone Company's rates, terms and conditions for its permissively de-tariffed wireline broadband access transmission service will be available at its office located at 1104 19<sup>th</sup> Avenue SW, Suite B, Willmar, MN 56201 and on its website at <a href="https://www.hcinet.net/sacredheart">www.hcinet.net/sacredheart</a>.

See Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Universal Service Obligations of Broadband Providers, CC Docket No. 02-33, WC Docket 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005), FCC 05-150 (Rel. Sept. 23, 2005), Wireline Broadband Order.

## **Certificate of Service**

- I, Bruce Hanson, do certify that I have, on this 1st day of December, 2016
  - 1. Served by first class mail a copy of the foregoing Notice of Permissive De-tariffing of Wireline Broadband Internet Access Transmission Service to the following:

Secretary of Defense Attn: Special Assistant for Telecommunications Pentagon

Washington, DC 20301-1000

Governor Mark Dayton
Office of the Governor
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

2. Served by first class mail a copy of the foregoing Notice of Permissive De-tariffing of Wireline Broadband Internet Access Transmission Service to the following:

Minnesota Public Utilities Commission Attn: Mr. Alan Wolf 121 7<sup>th</sup> Place East, Suite #350 St. Paul, MN 55101

3. Served via electronic mail a copy of the foregoing Notice of Permissive De-tariffing of Wireline Broadband Internet Access Transmission Service to the following:

Sacred Heart Telephone Company 1104 19<sup>th</sup> Avenue SW, Suite B Willmar, MN 56201



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Sacred Heart Telephone Company 1104 19<sup>th</sup> Avenue SW, Suite B Willmar, MN 56201

Re: CUSTOMER NOTICE OF CHANGE IN DSL SERVICE

Dear Valued Customer:

Our records indicate that Sacred Heart Telephone Company is currently purchasing wholesale wireline broadband Internet access transmission services from Sacred Heart Telephone Company pursuant to the terms of its tariff. This letter is to inform you that Sacred Heart Telephone Company will no longer offer such DSL transmission services pursuant to Tariff effective January 1, 2017. On and after January 1, 2017 services will be made available to you on a common-carrier, non-tariffed basis.

Sacred Heart Telephone Company's rates, terms and conditions for its non-tariffed wireline broadband Internet access transmission service can and will be available at its office located at 1104 19<sup>th</sup> Avenue SW, Suite B, Willmar, MN 56201 and on its website at <a href="https://www.hcinet.net/sacredheart.">www.hcinet.net/sacredheart.</a>

The actions described above are taken in accordance with the FCC's Report and Order (FCC 05-150) released September 23, 2005 in Docket No. 02-33. In the order, the FCC determined that facilities-based wireline broadband service providers could offer their services on a common-carrier, permissively detariffed basis.

Sincerely,

Bruce Hanson Treasurer